

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

LOUIS CARL JEMISON, III,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CASE NO. 1:12 CV 905

JUDGE DONALD C. NUGENT

MEMORANDUM OF OPINION

On April 13, 2012, this habeas corpus action filed by Plaintiff Louis Carl Jemison, III was removed from the Ohio Court of Appeals to this Court by Defendant United States of America. The Notice of Removal notes that Jemison's Petition in the Ohio court challenges his federal conviction and sentence. The United States filed a Memorandum in Opposition to Petition for Habeas Corpus on May 1, 2012, seeking dismissal of this case on the grounds that the Petition is without merit and is successive in any event. Jemison has filed nothing in response to the Memorandum in Opposition.

The Court finds the Memorandum in Opposition well taken for the reasons set forth therein. Accordingly, this case is dismissed. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. Fed.R.App.P. 22(b); 28 U.S.C. § 2253.

IT IS SO ORDERED.

Donald C. Nugent 7/23/12
DONALD C. NUGENT
UNITED STATES DISTRICT JUDGE